

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TOMMY LEE UNDERWOOD,

Petitioner,

Case No. 1:14-cv-815

v.

Honorable Robert Holmes Bell

LORI GIDLEY,

Respondent.

ORDER TO FILE AMENDED PETITION

This is a habeas corpus action filed by a state prisoner pursuant to 28 U.S.C. § 2254.

All applications for habeas corpus relief must be submitted on the form petition provided by this Court. *See Rule 2(d), RULES GOVERNING § 2254 CASES; W.D. Mich. LCivR 5.6(a).* Petitioner has filed a petition and a motion to stay the action pending exhaustion of claims in state court; however, he failed to file his petition on the requisite form. If Petitioner wishes to proceed in this action, he must carefully fill out the form and submit it to the Court. The Court directs the Clerk to send to Petitioner a copy of the form petition under 28 U.S.C. § 2254 for writ of habeas corpus by a person in state custody. Petitioner shall submit an amended petition on the requisite form **within 28 days from the date of entry of this order**. The case number shown above must appear on the front page of the amended petition. Petitioner must file an original and one complete copy of the amended petition and any *new* attachments. Petitioner need not re-submit any supporting materials filed with the original petition. **Because the amended petition will take the place of the original petition, the amended petition must set forth *all* of the grounds for relief that Petitioner intends to raise**

(including any grounds for relief that have not been exhausted in state court). If Petitioner fails to submit an amended petition in proper form within the time allowed, the petition may be dismissed without prejudice by the Court.

IT IS SO ORDERED.

Dated: August 20, 2014

/s/ Phillip J. Green
Phillip J. Green
United States Magistrate Judge